

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS

CIVIL ACTION No. 04-10688 NMG

_____)
THEODUS JORDAN)
Plaintiff)
)
v.)
)
)
BOSTON PUBLIC SCHOOLS)
Defendant)
_____)

**ASSENTED TO MOTION TO EXTEND FILING OF AN ANSWER OR
OTHERWISE RESPOND TO COMPLAINT**

NOW COMES the Defendant in the above-captioned matter and respectfully moves this Court to extend the date for serving an Answer an additional fourteen (14) days until September 1, 2005.

In support of this motion, the Plaintiff states that:

1. The Defendant received service of the Plaintiff's Complaint on July 28, 2005 at which time this matter was assigned to this counsel for Defendants, thus the Complaint would require an answer by August 18, 2005;
2. Counsel for the Defendant received the Plaintiff's Complaint on August 1, 2005 after returning from a personal family emergency. At that time this Counsel was responsible for several matters before the Bureau of Special Education Appeals and Suffolk Superior Court which hindered a thorough investigation of the Plaintiff's Complaint;

3. An enlargement of time of fourteen (14) days will enable counsel for the Defendant to become familiar with this complex case, properly respond to the Plaintiff's Complaint and to prepare a complete filing for this Court;
4. Defendant has assented to this extension of time to answer, and will not be prejudiced by this enlargement of time as no timelines have been set in this matter and the requested extension is minimal.

WHEREFORE, the Defendant, with the Plaintiff's assent, respectfully requests that this Court extend the date for filing its Answer to the Plaintiff's Complaint in this matter to September 1, 2005.

Dated: August 15, 2005

Respectfully submitted,
Boston School Committee
By its Attorney,
Merita Hopkins
Corporation Counsel

By: s/Andrea Alves Thomas
Andrea Alves Thomas, BBO#660050
Assistant Corporation Counsel
Boston Public Schools
26 Court Street, 7th Floor
Boston, MA 02108
(617) 635-9320

CERTIFICATE OF SERVICE

I, Andrea Alves Thomas, hereby certify that on this 15th day of August, 2005 I have served a copy of the foregoing document via first class mail, postage prepaid, directed to Plaintiff:

Theodus Jordan
P.O. Box 840
Jamaica Plain, MA 02130

s/Andrea Alves Thomas
Andrea Alves Thomas